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STATUTORY INSTRUMENTS

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**1993 No. 3050**

**The Notification of New Substances Regulations 1993**

**PART V**

**MISCELLANEOUS AND GENERAL**

**Enforcement and civil liability**

**21.**—(1) Insofar as any provision of regulations 4 to 20 is made under section 2(2) of the European Communities Act 1972<sup>(1)</sup>—

- (a) subject to paragraph (2), the provisions of the Health and Safety at Work etc. Act 1974 which relate to the approval of codes of practice and their use in criminal proceedings, enforcement and offences shall apply to that provision as if that provision had been made under section 15 of that Act; and
- (b) breach of any duty imposed by any provision of those regulations shall confer a right of action in civil proceedings, if that breach of duty causes damage.

(2) Notwithstanding regulation 3 of the Health and Safety (Enforcing Authority) Regulations 1989<sup>(2)</sup> and subject to regulation 22(2), the enforcing authority for these Regulations shall be the Executive.

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<sup>(1)</sup> 1972 c. 68.

<sup>(2)</sup> S.I.1989/1903.